AKha A04
Miao AE5

M 687 /250 cont./ In former times treason may also have been punished by death, but none of my informants could remember a case.

M 696 /251/ Capital punishment is executed in three ways. Beating the criminal to death is regarded as the mildest form, and decapitation is regarded as more severe punishment. As the most severe form, the condemned person is first shot and then beheaded. Capital punishment is not only meted out to men, [M 562] but also to women.

Dhuraratsadorn (1), as he writes, could not learn anything

1. Page 170.

about capital punishment. It was only reported to him that condemned persons "quietly disappeared." The author continues: [M 626] "Nobody wants to have anything to do with the family of the executed person, and even children refuse to play with his children, because the Meau believe that they are persons of a bad breed."

A 673 [681] Among the Akha, too, there are fixed punishments for various offenses. Theft, robbery, arson, bodily injury, and adultery, as well as the violation of the incest prohibitions and false testimony by a witness, are regarded as crimes.

M [673] In contrast to the Meau, the Akha make no distinction between a deed that was premeditated and one caused by negligence. Even the latter is punished as though it had been done intentionally. Like the procedure among the Meau, the A 692 sentence is made in accordance with established customary law with which the older men are thoroughly familiar through experience. The verdict itself is decided by a majority vote of the assembly of house-owners and the decision is regarded as incontestable; it is announced by the village chief.

A 674 In the villages visited by me, I was told that murder and homicide, as well as kidnapping, had not occurred within human memory; I could therefore not ascertain the penalties for these crimes. It was always said that such serious crimes do not occur among the Akha.

/255 cont./

695 [634] An ordeal that a great chief had arranged was described to me as follows. The great chief puts some weapons into water to which has been added the blood of a sacrificed chicken and some alcohol. He now conjures up the high Father-Mother spirit and asks him to destroy the liar within a month. All the suspects must then drink some of the liquid. Whoever dies during this period or is otherwise afflicted by severe misfortune is regarded as guilty.

Poison or fire ordeals, on the other hand, are not used and are unknown, as are duels.

A criminal who in the opinion of the judge has been found guilty but nevertheless denies his guilt is tortured in harsher and harsher fashion. To begin with, his fingers are squeezed into an iron fork and the fork is then heated over an open fire. If the accused continues to deny his guilt, the palms of his hands are burned with red-hot iron. At the conclusion of the torture a piece of each ear and the little finger of the hand with which the crime was committed are cut off.

● 696 [634] [693] The sentences are executed by the men who stand at the disposal of the village chief or the great chief, four or five of whom are assigned to the great chief and one to the village chief (see also the chapter, "Political Organization," section, "Kingship and Chieftainship").

693 695 The costs of a lawsuit are borne by the guilty. They can be considerable if a popular assembly was convened, since the expenses for it must be defrayed /256/ (see the chapter, "Political Organization," the section, "Popular Assembly"). The plaintiff has to bear all the costs until the culprit is discovered. If he cannot pay them at once, they are treated like a debt assumed by him. If, in spite of all efforts, the person guilty of a crime cannot be discovered, the plaintiff, who in all sincerity cast suspicion upon the wrong person, does not pay the costs. They remain unpaid until the guilty person is discovered, for, as was pointed out, there is no time limitation on lawsuits, even though official investigations are discontinued after three years and discovery is left to chance.